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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/924,491	08/09/2001	Meschia Maurilio	3410-29	2557
23117	7590	12/19/2005	EXAMINER	
NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203			AMINZAY, SHAIMA Q	
			ART UNIT	PAPER NUMBER
			2684	

DATE MAILED: 12/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/924,491

Applicant(s)

MAURILIO, MESCHIA

Examiner

Shaima Q. Aminzay

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## ***DETAILED ACTION***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on September 8, 2005 has been entered.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-15 have been considered but are **moot** in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action
  - a. (a ) Patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made

4. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gernert (Gernert et al., US Patent No. 6,600,734) in view of Kitahata (Kitahata et al., US Patent No. 6,037,400).

Regarding claim 1 Gernert discloses a network connection system for [machine] tools, [in particular injection presses for plastics] (*see for example, Figure 1, column 1, line 21-26, column 2, lines 8-20, lines 38-49, column 3, lines 48-67 continued to column 4, lines 1-10, lines 30-67 continued to column 5, lines 1-34, lines 54-65, column 6, lines 13-15, 18-21, 25-27, column 7, lines 1-13, column 8, lines 16-24, network connection system for fax machine (machine) or other communication tools and equipments in manufacturing facility*), comprising a plurality of [machine] tools (1) destined to be connected to a network to share common resources and exchange data, characterized in that said network is a wireless network and at least some of said [machine] tools (1) comprise (*see for example, Figure 1, column 1, line 21-26, column 3, lines 48-67 continued to column 4, lines 1-10, column 6, lines 13-15, 18-21, 25-27, lines 38-67 continued to column 7, lines 1-13, the plurality of wireless user equipment (15s) connected to the network (100) and further, plurality of tools such as fax machines and etc. share common resources and exchange data in the wireless network*), in a permanent or semi-permanent manner, a device (12) for connection to said wireless network, through radio communication in frequency bands available for

radio communications (see for example, Figure 1, column 2, lines 8-20, lines 38-63, column 5, lines 21-34, lines 54-65, column 6, lines 40-53, column 8, lines 16-24, column 11, lines 30-42, column 12, lines 2-33, the wireless device connected to the network through RF communication in RF band for the radio communication and the connection variations (permanent or semi-permanent)), said device (12) for connection to the wireless network being able to communicate with a server (4) (see for example, Figures 1 and 3, column 3, lines 56-67 continued to column 4, lines 1-10, column 5, lines 54-67 continued to column 6, lines 1-10, column 7, lines 59-67 continued to column 8, lines 1-28, column 14, lines 6-13, column 15, lines 13-19, the wireless device connected to the network through RF communication in RF band for the radio communication, the connection varies (permanent or semi-permanent)), also provided with a device (12) for connection to the wireless network and/or with at least one access point (20) connected to a hard-wired network (10; 50) (see for example, Figures 1, column 2, lines 38-49, column 3, lines 48-67 continued to column 4, lines 1-10, lines 30-67 continued to column 5, lines 1-34, lines 54-67, the user equipments (device (12)) and connection to the wireless and or wired access points (stations 12-14)).

Gernert does not specifically teach machine tools, in particular injection presses for plastics, however, Gernert teaches the user equipment connections to other tools such fax machines or other equipment in a manufacturing environment (see for example, column 3, lines 55-67, and column 7, lines 4-13).

In a related art dealing with wireless and or wired communication system (see *for example, column 1, lines 16-23*), Kitahata teaches machine tools, in particular injection presses for plastics (see *for example, column 1, lines 16-23, column 2, lines 4-14, column 7, lines 29-36*).

It would have been obvious to one of ordinary skill in the art at the time invention was made to include Kitahata's machine tools with Gernert's network communication system to provide an improved network connection and communication system for the manufacturing facility (*Gernert, see for example, column 1, lines 21-26, column 2, lines 8-20, lines 38-63, column 3, lines 48-67, column 4, lines 1-10, lines 30-67, and column 7, lines 4-13*).

Regarding claim 2, Gernert in view of Kitahata teach all the claimed limitations as recited in claim 1, and further, Gernert teaches characterized in that between said devices (12) for connection to the wireless network and said at least one access point (20) data are exchanged in a frequency band ranging between 2.4 GHz and 2.5 GHz (*see for example, column 2, lines 8-20, lines 38-63, column 7, lines 59-67 continued to column 8, lines 1-24, column 11, lines 30-42, the wireless network connection, the access point and frequency band range of 2.4 GHz*).

Regarding claim 3, Gernert in view of Kitahata teach all the claimed limitations as recited in claim 1, and further, Gernert teaches characterized in that at least

some of said machine tools have a computer (11) in which said device (12) for radio communications is installed (*see for example, Figure 1, column 3, lines 56-67, column 6, lines 38-53, column 6, lines 4-13, column 11, lines 30-42, column 12, lines 22-33, radio communication between the user equipment and the computerized tools such as fax or other manufacturing tools*).

Regarding claim 4, Gernert in view of Kitahata teach all the claimed limitations as recited in claim 1, and further, Gernert teaches characterized in that said wireless network and/or said hard-wired network (10; 50) is/are managed by a server (4) (*see for example, Figure 1, column 2, lines 38-49, column 3, lines 56-67, column 5, lines 21-34, column 5, lines 65-67 continued to column 6, lines 1-10, column 7, lines 59-67 continued to column 8, lines 1-24, the wireless and wired network being managed by the server*).

Regarding claim 5, Gernert in view of Kitahata teach all the claimed limitations as recited in claim 4, and further, Gernert teaches characterized in that said server (4) is connected to said hard-wired network (10; 50) through a hard-wired connection (16; 52) by means of network boards (15) for transmission via cable (*see for example, Figure 1, column 2, lines 38-49, column 3, lines 56-67, column 5, lines 21-34, lines 65-67 continued to column 6, lines 1-10, column 7, lines 59-67 continued to column 8, lines 1-24, the wireless and wired network being managed by the server that is hard wired to the network*).

Regarding claim 6, Gernert in view of Kitahata teach all the claimed limitations as recited in claim 4, and further, Gernert teaches characterized in that said server (4) is connected to said hard-wired network (10; 50) through a radio link, by means of said radio communications device (12) (*see for example, Figure 1, column 2, lines 38-49, column 3, lines 56-67, column 5, lines 21-34, lines 65-67 continued to column 6, lines 1-10, column 7, lines 59-67 continued to column 8, lines 1-24, the server connection via radio link and the communication device*).

Regarding claim 7, Gernert in view of Kitahata teach all the claimed limitations as recited in claim 6, and further, Gernert teaches characterized in that said server is a computer (11) of one of the machine tools (1) (*see for example, Figure 1, column 3, lines 56-67, column 5, lines 65-67 continued to column 6, lines 1-10, lines 38-53, column 7, lines 4-13, column 11, lines 30-42, column 12, lines 22-33, server and the computerized tools such as fax or other manufacturing tools*).

Regarding claim 8, Gernert in view of Kitahata teach all the claimed limitations as recited in claim 1, and further, Gernert teaches characterized in that peripheral devices (17) are connected to said network (10; 50), through a hard-wired connection (16; 53), by means of network boards (15) for transmission via cable (*see for example, Figure 1, column 2, lines 38-49, column 3, lines 56-67, column*



*5, lines 21-34, column 7, lines 59-67 continued to column 8, lines 1-24, the wireless and wired network transmission).*

Regarding claim 9, Gernert in view of Kitahata teach all the claimed limitations as recited in claim 1, and further, Gernert teaches characterized in that peripheral devices (17) are connected to said hard-wired network (10, 50) through a radio link, by means of devices (12) for radio transmission (*see for example, Figure 1, column 2, lines 38-49, column 3, lines 56-67, column 5, lines 21-34, column 7, lines 59-67 continued to column 8, lines 1-24, the wireless and wired network transmission*).

Regarding claim 10, Gernert in view of Kitahata teach all the claimed limitations as recited in claim 4, and further, Gernert teaches characterized in that said server (4) has devices (32, 35) for connection to another local network (LAN) (30) or to a WAN external network (31) (*see for example, Figure 1, column 2, lines 38-49, column 3, lines 56-67, column 5, lines 21-34, lines 65-67 continued to column 6, lines 1-10, column 7, lines 59-67 continued to column 8, lines 1-24, the server connection to LAN and WAN*).

Regarding claim 11, Gernert in view of Kitahata teach all the claimed limitations as recited in claim 10, and further, Gernert teaches characterized in that said device (32) for connection of the server (4) to another local network

(LAN) (30) is a network board (32) for connection by cable or by radio link (see for example, Figure 1, column 2, lines 38-49, column 3, lines 56-67, column 5, lines 21-34, column 5, lines 65-67 continued to column 6, lines 1-10, column 7, lines 59-67 continued to column 8, lines 1-24, the wireless and wired network connections).

Regarding claim 12, Gernert in view of Kitahata teach all the claimed limitations as recited in claim 10, and further, Gernert teaches characterized in that said device (35) for connection of the server (4) to another outside network (WAN) (31) is an analogical or digital modem (35) (see for example, Figure 1, column 2, lines 38-49, column 3, lines 56-67, column 5, lines 21-34, lines 65-67 continued to column 6, lines 1-10, column 7, lines 59-67 continued to column 8, lines 1-24, the server connection to WAN).

Regarding claim 13, Gernert in view of Kitahata teach all the claimed limitations as recited in claim 10, and further, Gernert teaches characterized in that said device (35) for connection of the server (4) to another outside network (WAN) (31) is a router (see for example, Figure 1, column 2, lines 38-49, column 3, lines 56-67, column 5, lines 21-34, lines 65-67 continued to column 6, lines 1-10, column 7, lines 59-67 continued to column 8, lines 1-24, the server connection to WAN).

Regarding claim 14, Gernert in view of Kitahata teach all the claimed limitations as recited in claim 1, and further, Gernert teaches characterized in that said network (10) is an Ethernet local network (LAN) of the linear type (*see for example, Figure 1, column 4, lines 30-60, column 5, lines 21-3, column 10, lines 44-52, column 15, lines 13-19*).

Regarding claim 15, Gernert in view of Kitahata teach all the claimed limitations as recited in claim 1, and further, Gernert teaches characterized in that said network (50) is an Ethernet local network (LAN) of the star type with a hub distributor device (2) (*see for example, Figure 1, column 4, lines 30-60, column 5, lines 21-3, column 10, lines 44-52, column 15, lines 13-19*).

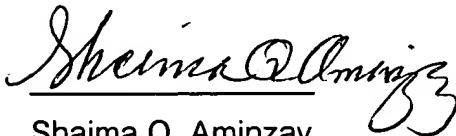
### **Conclusion**

The prior art made of record considered pertinent to applicant's disclosure, see PTO-892 form.

### **Inquiry**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shaima Q. Aminzay whose telephone number is 703-305-8723. The examiner can normally be reached on 7:00 AM -5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 703-308-7745. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Shaima Q. Aminzay  
(Examiner)

  
NAY MAUNG  
SUPERVISORY PATENT EXAMINER

\_\_\_\_\_  
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December 12, 2005